



Homeland Security Presidential Directive HSPD-12 PIV-1

POLICIES & PROCEDURES



U.S. Department of Commerce
National Oceanic and Atmospheric Administration
Workforce Management Office
November, 2005

NOAA
WORKFORCE MANAGEMENT OFFICE
SUITABILITY AND NATIONAL SECURITY INVESTIGATIONS

1. Background

On August 27, 2004, a Homeland Security Presidential Directive entitled HSPD-12 – “Policy for a Common Identification Standard for Federal Employees and Contractors” was issued. HSPD-12 directed the creation of a new Federal requirement for a secure and reliable form of identification by all Federal Agencies to their employees and contractors.

In response to this directive, the National Institute of Standards and Technology (NIST) published a Federal Information Processing Standard entitled FIPS 201 – “Personal Identify Verification (PIV) for Federal Employees and Contractors” on February 25, 2005. The PIV is intended to provide security, authentication, trust and privacy for Federal employees and contractors. FIPS 201 and associated publications provide detailed specifications for Federal agencies and departments regarding the issuance of PIV cards to their personnel. The FIPS 201 standard and other related publications can be located at NIST website at <http://csrc.nist.gov/piv-program>.

1.1 Introduction

In response to the HSPD-12 and FIPS 201, the Department of Commerce issued a draft PIV-I Compliance Implementation Handbook on September 1, 2005, Version 3.0, which outlined DOC implementation instructions for compliance with HSPD-12 and the FIPS 201 Standard requirements. This instruction provides a consistent procedure for the WFMO to follow regarding the identification and processing of the required background investigation or National Agency Check with Inquiries (NACI). Additionally, it provides a mechanism to authenticate the identity of the selectee prior to appointment and issuance of the PIV Card.

The Workforce Management Office will serve as the PIV Sponsor in the PIV process. The PIV Sponsor substantiates the need for a PIV credential to be issued to an Applicant and provides sponsorship to the Applicant. An Applicant is an individual to whom a PIV Card needs to be issued.

1.2 Purpose and Scope

This instruction provides NOAA Workforce Management Office (WFMO) implementation instructions for compliance with HSPD-12 and the FIPS 201 Standard requirements. The purpose of this instruction is not intended to duplicate the DOC HSPD-12 PIV-1 Implementation Handbook, but to provide specific implementation and maintenance instructions for WFMO. This instruction will be used by WFMO for all NOAA employees and clients serviced by NOAA offices.

1.3 Timelines

Implementation of these procedures will begin on October 27, 2005.

2. Governance

2.1 Workforce Management Office

The Workforce Management Office will adhere to OSY/OHRM memorandum titled “*Issuance of New Policy and Procedures for Processing of Suitability and National Security Investigations*”.

The WFMO will initiate the National Agency Check with Inquiry (NACI) for all candidates for Federal employment unless other background investigations for suitability or clearance are accomplished. The WFMO will consolidate the documents required for the NACI or higher level investigation, ensure that the documents are complete and accurate, and forward to the appropriate Security Office for processing prior to the entry on duty (EOD) of an Applicant. The WFMO will provide the Security Office with a copy of the completed I-9 for issuance of the PIV to the Applicant.

2.2 Organization

NOAA Workforce Management Office, Client Services Office is divided into five (5) Client Services Office Divisions located in Kansas City, Missouri, Silver Spring, Maryland, Norfolk, Virginia, Seattle, Washington and Boulder, Colorado. These Divisions are co-located with NOAA Security Offices except for the Division located in Kansas City, Missouri.

Each WFMO Client Services Division will coordinate and transmit background investigation packages to the co-located NOAA Security Offices physically located at Boulder, Colorado, Norfolk, Virginia, Seattle, Washington and Silver Spring, Maryland except for the Division located in Kansas City, Missouri that will provide investigation packages to the NOAA Security Office located in Norfolk, Virginia Office. The WFMO Client Services Divisions will gather the information for the background investigations and the I-9 authentication for the PIV card and forward then to the appropriate Security Office. The Security Offices will provide PIV support to their co-located NOAA WFMO except the Security Office located in Norfolk, Virginia Office which will also support the WFMO Client Services Division located in Kansas City, Missouri. The designated PIV Issuer will issue the PIV Card to the applicant only after the PIV Card request is received from the PIV Sponsor (WFMO), validated by the PIV Issuer, and approved by the PIV Registrar. The approval notification is consistent with the completion of the registration process (completing and signing the I-9), and the favorable completion of a background check. The security packages will include both those for NOAA employees and employees of non-NOAA clients serviced by the WFMO Client Services Divisions. PIV training for new employees will be provided on-line as a part of general employee orientation.

3. Development

3.1 Operations Plan

This plan provides the necessary operations plan for NOAA Workforce Management Office, Client Services Office.

3.2 Recruitment for Positions

Vacancy Announcements will have a remark added that informs the applicants that a completed OF-306 (Declaration for Federal Employment), must be submitted along with the application for other than Low Risk positions. The remark will state:

This vacancy announcement also requires a completed Optional Form 306, Declaration for Federal Employment, be submitted in addition to the application. Applicants who do not submit a properly completed OF-306 will not be considered for the position. The OF-306 is available at:

<http://www.gsa.gov/Portal/gsa/ep/formslibrary.do?viewType=DETAIL&formId=047C39FC0226D01E85256AAB005DF2AD>

Or by calling (XXX) XXX-XXXX {Insert Name/Number of POC} to request a copy of the form.

3.3 New Hire Procedures

Once a selection has been made by the selecting supervisor, the PIV Sponsor reviews the position data to determine, based upon the position sensitivity, which investigation form to send to the Selectee. The Client Services Division will contact the Selectee and notify them of the Tentative Job Offer. The Selectee will also be advised that prior to establishing an entry on duty (EOD) date, they must submit the proper forms, as noted below, to the HR Assistant. The Selectee is advised of various locations available to obtain the required fingerprints, e.g., police stations.

The applicant selected (Selectee) for a Federal position is required to have completed the SF-85 (Questionnaire for Non Sensitive Positions), OF-306 (if required) and SF-87 (Fingerprint Chart) prior to their entry-on-duty (EOD) date. There are certain positions that will require the applicant to complete a SF-85P (Questionnaire for Public Trust Positions or SF-86 (Questionnaire for National Security Positions).

3.4 Completion of Investigation Form and SF-87

The Selectee is advised that the appropriate investigation form, and the Standard Form 87, Fingerprint Chart, will be forwarded to them for completion and return by the deadline provided.

The PIV Sponsor verifies the Selectee address and transmits the documents with the Client Services Division fax number/address and instructions that it must be returned within 14 calendar days. The notification to the Selectee will include the required information:

You have been tentatively selected for the position of XXXXXX. Your final selection will be contingent upon the proper completion and submission of the Standard Form 85, (or SF-85P or SF-86 as appropriate) Questionnaire for Public Trust Positions, (OF-306 if required) and Standard Form 87, Fingerprint Chart. These forms must be properly completed and submitted to the HR Assistant prior to the establishment of an entry-on-duty (EOD) date. Upon receipt of the completed forms, you will be provided a formal job offer letter by e-mail that will include requirements, information about benefits and entitlement and identification that must be submitted for review on your EOD date. Please be advised that if you are unable or do not provide the required documentation within the deadline provided, you will not be in-processed as advanced receipt of this documentation is a prerequisite for employment.

Employees who EOD at a remote site will be instructed to provide a personal passport photo suitable for a picture on the PIV Card in addition to all other required documentation

It is explained that a background investigation is a condition of employment and the completed forms must be received prior to any appointment to initiate the process. Note: No entry on duty (EOD) date will be established until the forms have been properly completed and returned to the PIV Sponsor.

The completed investigation form and SF-87 are received and reviewed by the PIV Sponsor. If incomplete, the Sponsor notifies the Selectee that it must be completed and transmitted ASAP. The form or forms may be

returned back to the Selectee or new forms submitted. The Selectee is again reminded that a failure or refusal to properly complete and return the form will result in delayed in-processing or possible non-selection.

The Selecting Official and/or other management officials in the serviced organization and the Human Resources Specialist or HR Advisor will be kept apprised of the status of the process.

3.5 Review and Consolidation of Background Investigation Forms

Once the properly completed investigation form and SF-87 are received by the PIV Sponsor, they in-turn will complete the appropriate Request for Pre-Appointment Checks for High Risk & NCS, CS, SS Sensitive Positions or Low Risk/Mod Risk Suitability Employment Notification.

If any completed form raises a flag regarding suitability, the PIV Sponsor will notify the HR Advisor immediately. The HR Advisor notifies the Selecting Official of the responses and requests a determination if the tentative job offer should be proffered. If the determination is not to proceed with the selection, the Selectee is notified by the HR Advisor and the certificate is returned to the Selecting Official (if requested) to make another selection.

3.6 Review and Consolidation of Background Investigation Package

The package is provided to the PIV Sponsor who reviews the forms for completeness. If omissions are detected the HR Assistant immediately contacts the Selectee. The Selectee is advised that the forms are not complete and returns them by mail or requests new completed forms be submitted ASAP.

Once a properly completed package is provided by the Selectee to the PIV Sponsor, the HR Assistant completes and attaches a CD-590, PIV Request Form and forwards the package to the Security Office.

3.7 Background Investigation Package to Security Office

The respective Security Office POC for NACIs, will review with the package for completeness. If complete, the Security Office will log and transmit package to OPM for adjudication upon EOD of the Selectee..

The Security POC will notify the HR Assistant that the package has been accepted and reviewed by the Security Office so that they proceed with the formal job offer.

3.8 Formal Job Offer

The Client Services Division contacts the Selectee by telephone and tenders a Job Offer. If the offer is accepted, an EOD date is determined. It is explained that a Job Offer Letter will contain all instructions, deadlines, links to web sites for forms and orientation, employee benefits, entitlements, etc. The letter will explain that all of the required forms must be completed and returned at EOD. The required forms include:

SF-144, Statement of Prior Federal Service
CD-314, Statement Relating to Employee Responsibility
Uniform Service Component
CD-525, Employee Address Form
SF-1199A, Direct Deposit Form
W-4, Employee Withholding Certificate
State Withholding Form.

The Selectee is also advised that on the Entry on Duty (EOD) date and prior to the administering of the Oath of Office, they will be required to provide identification as per I-9, Employment Eligibility Verification Form requirements. The PIV Sponsor will describe the forms of identification required of the I-9. The Selectee is also advised of the location for in-processing and the Enrollment Official if remote site or different than the PIV Sponsor.

The Client Services Division will transmit the Job Offer Letter and Package to the Selectee.

The Client Services Division advises selecting supervisor and other appropriate management officials that the Job Offer was accepted and the EOD date established.

4. In Processing of New Hires

4.1 On-site Procedures:

On the Entry on Duty (EOD) date, the PIV Sponsor authenticates the I-9 forms of identification and completes/signs/dates the I-9 Form. The Sponsor also completes the PIV Request Form. The Selectee is provided with the other required EOD forms, SF-256 (Self Identification of Handicap) SF-181 (Race and National Origin Identification), and OPM-1635 ((Welfare to Work Program) and instructions to complete the forms.

Selectee is sworn in and Appointment Affidavit is completed by the PIV Sponsor who authenticated the I-9 forms of identification.

New employee is escorted to the Security Office by the PIV Sponsor who provides them with a copy of the completed I-9. The Security Office issues the Identification Card or PIV. A Visitor's Pass may be issued to the Selectee, in lieu of a PIV Card, for escorted access on site in the event that the PIV Card cannot be issued at the time of EOD pending receipt of the PIV Card.

The new employee is required to complete the PIV-1 Training Course on line as a part of the general orientation process at the time of EOD or shortly thereafter. The PIV Sponsor will provide with the new employee with the URL to take and complete the course.

4.2 Remote-site Procedures:

The Client Services Division sends the Selectee all required forms and the requirement to provide a passport photo for the PIV Card. The Enrollment Official for the remote site is kept apprised by telephone contact and/or e-mail at all phases of the process. The Enrollment Official is notified of the required forms (including the passport photo) and procedures for in-processing on the EOD date. Upon receipt of the documents and the passport photo from the Selectee the PIV Sponsor completes the PIV Request Form and submits the entire package to the Security Office. The Security Office prepares the PIV Card and transmits by secured mail to the Enrollment Official at the serviced organization.

On the EOD date, the Enrollment Official authenticates the I-9, forms of identification and completes/signs/dates the form. The Selectee is provided with the other required EOD forms, SF-256 (Self Identification of Handicap) SF-181 (Race and National Origin Identification), and OPM-1635 (Welfare to Work Program) and instructions to complete them.

Selectee is sworn in and Appointment Affidavit is completed by the Enrollment Official who authenticated the I-9. The New Employee is personally issued their PIV Card by the Enrollment Official.

The new employee is required to take the PIV-1 Training Course on line as a part of the general orientation process at the time of EOD or shortly thereafter. The Enrollment Official will provide the new employee with the URL to take and complete the course.

The Enrollment Official transmits the completed documents by overnight mail to the HR Assistant.

Upon receipt of the documents, the HR Assistant retrieves the I-9, and hand carries a copy to the Security Office.

A Visitors Pass may be issued to the Selectee, in lieu of the PIV Card, for escorted access on the site in the event that the PIV Card has not been received for issuance to the Selectee at the time of EOD pending the receipt of the PIV Card.

The Client Services Division reminds the New Employee verbally and/or by e-mail of benefit forms that are located on the Employee Orientation Website (TSP-1, SF-2809, SF-3102, SF-2817, SF-2823, and SF-1152) and that they must be completed by the respective deadlines.

5. In Processing of Transferred or Reassigned Employees:

5.1 Employees who have been approved for transfer from another Federal agency to NOAA must have a NACI prior to their entrance on duty (EOD). Completion of a NACI is verified by SF-75 information received from the previous agency prior to EOD. If the Selectee has no record of a NACI, the appropriate investigation form, and SF-87 must be completed and reviewed by the PIV Sponsor and submitted to the Security Office for clearance PRIOR to EOD. (Same as a new employee).

5.2 Employees who are competitively reassigned or promoted to a new position within the DOC must have a valid NACI on record. The Selectee will not be provided a Job Offer until the NACI or appropriate security clearance level has been verified by the Security Office. If no record of a NACI or appropriate security clearance level has been verified, the PIV Sponsor will inform the Selectee of the need to complete and submit the requisite investigative forms prior to a Job Offer being provided and effective date established.

6. Promotion Actions:

Promotion actions on employees will not be effected until the appropriate security clearance level of the employee is verified or obtained. The PIV Sponsor will provide the employee with needed investigation forms for completion and submission through the HR Assistant to the Security Office.

7. Storage:

The documents used in the aforementioned process will be maintained consistent with established law, OPM, DOC, NOAA and Workforce Management Office instructions and procedures. The documents used to authenticate the identity of the Applicant on the I-9 will be maintained by the PIV Card Registrar as part of the applicant's PIV request package.

8. Privacy Concerns:

Disclosure of any records and maintenance of records will be consistent with Privacy Act of 1974.

9. Suitability Adjudication Process

Upon the completion of a NACI, derogatory information discovered about an employee or contractor* is analyzed to determine if it negatively impacts their suitability for continued employment in *any* position in the government.

No action to remove a person from employment is taken unless an adverse nexus is established between the particular conduct and:

- 1) the person's performance in any position, or
- 2) the agency's ability to perform its mission.

The conduct is characterized or ranked according to seriousness to determine if action is warranted. The rankings are as follows:

RANKING	DESCRIPTION	POTENTIAL FOR DISQUALIFICATION
A	MINOR	Conduct or issue which, standing alone, <i>would not</i> be disqualifying, under suitability, for any position.
B	MODERATE	Conduct or issue which, standing alone, <i>would probably not</i> be disqualifying, under suitability, for any position.
C	SUBSTANTIAL	Conduct or issue which, standing alone, <i>may probably</i> be disqualifying, under suitability, for any position.
D	MAJOR	Conduct or issue which, standing alone, <i>would</i> be disqualifying, under suitability, for any position.

5 CFR 731.202 outlines the factors and additional considerations to be used in making suitability determinations.

Guidance regarding the investigation and adjudication of suitability issues is contained within the DOC Suitability Handbook.

Any adverse actions resulting from suitability investigations will be taken pursuant to 5 CFR 731 or 5 CFR 752, as appropriate.

* Adjudication of suitability issues regarding NOAA contractors are the responsibility of the appropriate COTR and the OSY.

10. Resources Needed to Complete NACIs on NOAA Employees/Contractors

10.1 Current NOAA Employees in Need of NACIs

Only those employees for whom a valid background check is not on file and cannot be determined will require the completion of the NACI or other appropriate background check. The OSY will review NOAA employee listings to determine employees in need of a NACI.

Additional resources and funding will be needed to assist NOAA employees to complete and submit paperwork necessary for a NACI investigation and/or a new PIV-Card. The estimated backlog of NOAA employees in need of a NACI is 2,000. However, the actual number is not known at this time. Additional

WFMO employees required to process the backlog of NACIs and to maintain the ongoing HSPD-12 PIV-1 process regarding new employee and existing employee re-badging is estimated to be 5 new FTE (GS-9) within WFMO at an approximate cost of \$3350,000/year.

10.2 NOAA Contractor Employees

NOAA COTRs will need to review all NOAA contractors to determine how many contractors will need NACIs under the new HSPD-12 requirements. Although NOAA WFMO has no role assisting NOAA line offices in obtaining identification verification or security clearances on NOAA contractor employees, the resources and funding needed by NOAA line offices to meet the new HSPD-12 requirements need to be determined.

IMPLEMENTATION OF THESE PROCEDURES WILL BE CONSISTENT WITH EXISTING COLLECTIVE BARGAINING UNIT AGREEMENTS AND THE FEDERAL LABOR MANAGEMENT RELATIONS STATUTE.